

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

DECEMBER 15, 2008

Study Session

City Manager Jon Crusey opened the Study Session at 7:05 p.m. on this date.

Roll Call

Council Members in attendance included: William D. Beagle, George H. Lovett, President Patrick A. Hale, John E. Kessler, Vickie K. Blakey, Mayor Tim Evans, and Dolores Gillis. Others in attendance included: Law Director Joseph P. Moore, City Engineer Scott P. Vagedes, Finance Director Richard Drennen, Utilities Director Mo Eichman, Assistant City Manager Bradley C. Vath, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

Discussion – Tippecanoe Family Aquatic Center

Mr. Crusey used the attached PowerPoint presentation to recap the numbers for the 2008 season of the Tippecanoe Family Aquatic Center and propose new rates for the upcoming season. Mr. Crusey noted that pass sales were down in 2008, but added that daily admissions went up. Concessions also did better this year due to a price increase. Mr. Crusey suggested a moderate price increase this year for season pool passes and daily admission rates. Council discussed the economic conditions and wondered if a price increase would keep citizens from purchasing a season pass. Mr. Vagedes stated that Cincinnati Pool Management staff believes that more people will be spending their money locally due to rising gas prices and the economic conditions. Mr. Lovett stated he was in favor of a price increase and added that the City cannot continue to absorb cost increases. Mayor Evans was opposed to an increase. Mrs. Blakey requested that Council be provided with attendance information tracked via zip code. Mr. Crusey will provide copies of the presentation and the zip code report from CPM.

ODOT/MVRPC Grants

Mr. Vath informed Council that the City received \$300,000 each for phases 4 and 5 of Streetscape. The City will also receive a \$350,000 OPWC grant for phase 4. ODOT/MVRPC has requested that Council inform them if they plan to proceed with the grant applications. As these are matching grants and the City does not have funding available, Council will need to make a motion directing staff on this subject. It was noted that the City may reapply for this grant in 3-4 years.

Adjournment

The study session concluded at 7:30 p.m.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

DECEMBER 15, 2008

Roll Call

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 7:30 p.m. Roll call showed the following Councilmembers present: William D. Beagle, Vickie K. Blakey, Dolores Gillis, Mayor Tim E. Evans, George H. Lovett, President Patrick A. Hale, and John E. Kessler.

Others in attendance: City Manager Jon Crusey, Law Director Joseph P. Moore, Finance Director Richard Drennen, Fire Chief Steve Kessler, City Engineer Scott Vagedes, Utilities Director Mo Eichman, Assistant City Manager Bradley C. Vath, Police Chief Tom Davidson, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

Citizens signing the register included: Steven Chaney, Joyell Collins, Ruth Safreed, Michael McFarland, Kelly Gillis, Pat Catalano, Reed Spencer, Dean McClurg, Sgt. J.J. Mauro, Patrolman Greg Adkins, Greg Enslen, Suzanne Summers, Joe Bagi, Mark Mabelitini, and Matt Owen.

Invocation and Pledge of Allegiance

President Hale delivered the invocation and led the Pledge of Allegiance.

Approval of Agenda

President Hale moved to amend the agenda to add approval of the minutes of the November 24, 2008 Operating Budget Workshop, seconded by Mr. Lovett. The motion unanimously carried. The amended agenda was approved with a motion from Mr. Lovett, seconded by Mayor Evans.

Adoption of Minutes

Mr. Lovett moved, seconded by Mr. Beagle, to approve the minutes of the November 24, 2008 Operating Budget Workshop. The motion carried 7-0.

President Hale moved, seconded by Mrs. Blakey, to approve the minutes of the December 1, 2008 Pre-Meeting Study Session. The motion carried 7-0.

Mrs. Gillis made a motion to approve the minutes of the December 1, 2008 Council Meeting. The motion was seconded by Mr. Beagle and unanimously approved.

Appointment of Clerk of Council

President Hale moved, seconded by Mrs. Gillis, and unanimously approved, that Cathy Ross be appointed as Clerk of Council.

Presentations

Downtown Tipp City
Partnership

Mr. Owen, Executive Director of the Downtown Tipp City Partnership (DTCP), informed Council that the Partnership would be applying for Ohio Mainstreet status. Mainstreet status would provide a valuable training development tool, work plan development, training workshops, annual evaluation visits, training and reference materials, as well as Ohio Mainstreet grant opportunities.

Mr. Spencer noted that 2009 is the third and final year of the contract between the City and the Chamber for the Downtown Tipp City Partnership. He added that it has always been the goal of the Downtown Tipp City Partnership to obtain Mainstreet status. One of the requirements is that 2/3 of the annual budget must be in the bank or pledged. He thanked Council for their support and informed them that the DTCP would be asking Council to renew the City's commitment for an additional three years.

Rotary Donation

2007-2008 Rotary President Dean McClurg, and Mark Mabelitini presented Mayor Evans with a check for \$2,000 for trees in Kyle Park in honor of past Rotary presidents.

**Ordinance
(Second Reading)**

The following ordinances were presented to City Council for adoption.

Ordinance 47-08
2009 Annual Budget

Ordinance 47-08: An ordinance adopting the 2009 Annual Budget for Tipp City, Ohio.

Clerk of Council Summary: This ordinance adopts the operating budget for the fiscal and calendar year 2009 as proposed by the City Manager and reviewed by City Council at the November 24th Council Workshop.

City Manager Report: During Council's review of the operating budget there were no recommended changes to either the projected revenues or the proposed expenditures. Mr. Crusey announced that the General Fund revenue was projected to decrease 6% with expenditures decreasing 5.3% compared to the 2008 budget. He noted that General Fund departmental operating budgets increased 0.86%. The proposed budget projects a \$217,460 General Fund deficit. Mr. Crusey said that on average, the City normally spends 96% of the appropriations. Therefore, the General Fund should balance if revenue targets are met. Mr. Crusey reported that no transfers from the General Fund to the Capital Improvement Reserve Fund are proposed in this budget as stagnant revenue and increasing operating costs have diminished the City's ability to make such a transfer in 2009.

Mayor Evans thanked the City Manager, Finance Director and Department Heads for preparing the budget and for working hard to make cuts. He stated that a bad economy is something we hear about daily including factory closings, industry bailouts, and layoffs. He added that we are in troubled times and our community has yet to see the times our world and national economy has faced. The state budget is proposed to have a \$7B deficit and Mr. Evans is fearful as to what revenues will be for our community. As a result he will not be supporting the budget. Council has taken two levies before the community and has not received additional tax dollars. Mr. Evans believes that Council needs to go back and pare down some of our expenses over the next year before we pass a final budget.

Mr. Kessler stated that staff has done everything Council has asked them to do, but with the potential loss of revenue from the State, Council needs to come up with a way to parallel this loss so that the City doesn't go further in debt.

Mr. Lovett stated that he is going to support the budget. Within the last two weeks, the State of Ohio has announced a 25% reduction in state revenues over the next biennium. If the State numbers are only 1/3 accurate, it represents over an 8% decrease in revenue for 3 years. Tipp City is looking at a 6% decrease in revenues in the next year which can have a big impact. The City has a nice reserve, but the reserve is only going to go so far. Mr. Lovett added that he will be voting to approve this budget with the caveat that he will be paying close attention to revenues in December 2008 and January 2009. If it appears that the City is significantly exceeding 6% decrease, then he will ask that we completely examine the Operating and Capital Budget in view of making more cuts. Mr. Lovett stated that he doesn't know what else Council needs to do or say to inform residents that we have a significant revenue problem; however, if the citizens truly want more cuts, then they will get it and it will be draconian. Unfortunately, the City may have to significantly cut the budget this coming year if reduction in revenues that are being projected by the state occur.

Mr. Crusey stated that a contingency plan is being developed that could be put in place if the City doesn't meet revenue projections. He believes that instead of making cuts on the assumption that something may or may not happen, it is better to develop a financial contingency plan for the first quarter of the year, and implement these changes if necessary to reduce costs. He added that at any point during the year the City isn't hitting revenue targets, we will work to implement different stages.

Mrs. Blakey added that she agreed with Messrs. Crusey and Lovett. She reported that Mr. Drennen keeps Council informed of revenues on a monthly basis and Council can act quickly if necessary.

President Hale stated that he agrees with everything that has been said and added that the City has cut an additional 5.3% out of expenses. Revenues were short this year, but Council received updates and additional cuts were made if necessary.

Mr. Beagle noted that the budget is a guide/roadmap only; Council can review it monthly and changes may be made as needed. Council will have opportunities to make corrections through the year. He also added that Council has approved budgets with far bigger deficits in the past.

There being no further discussion, Mr. Beagle sponsored this ordinance and moved for its adoption, seconded by Mrs. Blakey. The motion carried with a 4-3 vote. Mr. Kessler, Mrs. Gillis, and Mayor Evans cast the dissenting votes. Ordinance 47-08 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 48-08
Appropriations

Ordinance 48-08: An ordinance to make appropriations for current expenses and other expenditures for the municipality of Tipp City, Ohio during the fiscal year ending December 31, 2009.
(Sponsored by Mr. Lovett)

Clerk of Council Summary: This ordinance establishes the specific appropriations called for in the above-mentioned 2009 fiscal budget year.

City Manager Report: The appropriations ordinance is companion legislation to the approval of the operating budget. Mr. Crusey stated that the appropriations budget authorizes the expenditure of funds while the operating budget sets forth the financial plan for the ensuing fiscal year, including estimated revenue and proposed expenditures. This appropriations budget mirrors the recommended expenditures set forth in the operating budget that was reviewed by Council on November 24th.

There being no further discussion, Mr. Lovett sponsored this ordinance and moved for its adoption, seconded by Mr. Beagle. The motion carried. Mr. Kessler and Mayor Evans cast dissenting votes. Ordinance 48-08 was declared passed and President Hale affixed his signature in witness thereto.

Ordinance 49-08
Director of Law

Ordinance 49-08. An emergency ordinance amending Section 34.040 of the Tipp City Code relating to the duties and compensation of the Director of Law. *(Sponsored by Mrs. Blakey)*

Clerk of Council Summary: This ordinance is being passed as an emergency measure because the previous ordinance appointing the Director of Law and setting forth his duties and compensation will expire on December 31, 2008.

City Manager Report: This ordinance confirms the City Manager's re-appointment of Joseph Moore as Law Director and establishes the compensation of the Law Director at \$43,092 annually for 2009 and 2010. Mr. Crusey noted that Mr. Moore's salary has not been increased since 2007. Mr. Moore will be retiring into the Ohio Public Employee Retirement System (OPERS) at the end of 2008 and is being considered for re-employment.

There being no further discussion, Mrs. Blakey sponsored this ordinance and moved for its adoption, seconded by President Hale. The motion carried with a 6-1 vote; Mrs. Gillis cast the dissenting vote. Ordinance 49-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolutions
(One Reading
Required)

The following resolutions were presented to City Council for adoption.

Resolution 38-08
Tipp Monroe
Community Services

Resolution 38-08: A resolution authorizing the City Manager of Tipp City, Ohio to enter into a contract with the Tipp Monroe Community Services, Inc. for the provision of various recreational programs for the year 2009 at a cost not to exceed \$17,700.

Clerk of Council Summary: Authorizes the renewal of the Tipp-Monroe Community Services recreational programs contract at a cost not to exceed \$17,700.

City Manager Report: The adoption of this resolution authorizes the City Manager to renew the contract with Tipp-Monroe Community Services for calendar year 2009 at a cost of \$17,700, an increase of \$700 over 2008. TMCS conducts a variety of organized and continuing recreational, educational and enrichment programs for both youth and adults pursuant to schedules and specifications approved by the City Manager. The contract also specifies an additional sum of \$1,000 to be used for the "Mobile Meals" program on an as needed basis.

There being no further discussion, Mr. Beagle sponsored this resolution and moved for its adoption, seconded by Mrs. Blakey. The motion carried. Resolution 38-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 39-08
Kinna Drive Extension

Resolution 39-08: A resolution authorizing the City Manager to enter into a contract with Star Ex Inc. of Covington, Ohio for the Kinna Drive improvement project at a cost up to \$787,901.70.

Clerk of Council Summary: Nineteen bids were received for this project with Star Ex providing the lowest and best responsive bid.

City Manager Report: The bids for the Kinna Drive Extension Project were opened on December 5 with 19 bids being received. The adoption of this resolution would authorize the City Manager to enter into a contract with Star Ex, the low bidder on this project. All of the bids for this project were below the engineer's estimate with the lowest bid being 30% under the estimate.

There being no further discussion, Mr. Kessler sponsored this resolution and moved for its adoption, seconded by Mr. Lovett. The motion carried. Resolution 39-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution 40-08
Fire Protection
Concord Township

Resolution No. 40-08. A resolution to authorize and ratify a three year contract with the Board of Trustees of Concord Township, Miami County, Ohio providing for fire protection in said political subdivision pursuant to the terms and conditions as defined in said contract attached as Exhibit "A".

Clerk of Council Summary: This resolution authorizes the Tipp City Fire Department to provide fire suppression services in the southern half of Concord Township beginning January 1, 2009 and ending December 31, 2011.

City Manager Report: The adoption of this resolution would authorize the City Manager to enter into a three-year contract with the Concord Township Trustees for fire protection from January 1, 2009 to December 31, 2011. The contract establishes 5% annual increases in contractual payments ranging from \$21,666 in 2009 to \$23,886 in 2011.

There being no further discussion, Mrs. Blakey sponsored this resolution and moved for its adoption, seconded by President Hale. The motion carried. Resolution 40-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution No. 41-08
Clerk of Council

Resolution No. 41-08. A resolution declaring the appointment of Cathy Ross as Clerk of Council for the City of Tipp City, Ohio.

Clerk of Council Summary: This resolution appoints Cathy Ross to serve as both Clerk of Council and Executive Secretary to the City Manager.

City Manager Report: The adoption of this resolution would appoint Cathy Ross as Clerk of Council and provide for a \$100 per week pay increase for the additional duties. Mrs. Ross also serves as Executive Secretary to the City Manager. Per Section 4.09(A) of the City Charter Council must consent to the hiring of an employee to also serve as Clerk of Council. The City will save over \$20,000 with this appointment.

There being no further discussion, President Hale sponsored this resolution and moved for its adoption, seconded by Mayor Evans. The motion carried. Resolution 41-08 was declared passed and President Hale affixed his signature in witness thereto.

Resolution No. 42-08
Master Sewer
Agreement

Resolution No. 42-08. A resolution authorizing and directing the City Manager to execute a Master Sewer Agreement with the Miami County Board of Commissioners, in order to provide sanitary sewer service to areas outside the corp limits.

Clerk of Council Summary: This agreement will allow Tipp City to provide sanitary sewer service in areas outside our current corporation limits

City Manager Report: The adoption of this resolution would authorize the City Manager to enter into a Master Sewer Agreement with the Miami County Commissioners for the provision of sanitary sewer service to the Deer Cliff Run/Hilltop Estates and Evanston Estates/Country Estates areas. This 20-year agreement includes a 25% surcharge for treatment charges only for Deer Cliff Run Estates/Hilltop Estates and a 10% surcharge for treatment and collection charges for Evanston Estates/Country Estates. An inflow and infiltration (I/I) surcharge will also be established that will be imposed whenever wet weather flows exceed 50% of the average dry weather flows. The I/I surcharge revenue will be held in an account for a period of five (5) years for the County to use to remediate I/I within the contracted areas.

There being no further discussion, Mrs. Gillis sponsored this resolution and moved for its adoption, seconded by Mr. Lovett. The motion carried. Resolution 42-08 was declared passed and President Hale affixed his signature in witness thereto.

Motions
Drug Dog Donation

President Hale made a motion, seconded by Mrs. Blakey, and unanimously approved to accept the donation for the purchase and training of a new drug dog. Gitta and trainer Patrolman Greg Adkins presented a plaque to Council. Chief Davidson thanked the Friends of the Tipp City K9 Unit for their generous support. Training of Gitta and Patrolman Adkins was completed in November, 2008.

Grant Funding

Mr. Lovett moved to decline funding. Motion was seconded by Mr. Kessler and unanimously approved. It was noted that the City is walking away from at least \$950,000 because it does not have capital funds available to do these projects – water and sewer lines in the downtown area. Unfortunately funds are not available to take advantage of this appropriation. At this point, the 1st and 3rd Street ODOT/MVRPC projects are pretty much off the books. Council reiterated the fact that this \$950,000 represented grant funds that have been applied for and received, but due to the fact that our 5-year CIP did not call for these projects, we do not have matching funds available to accept these monies.

Public Hearing

A motion was made by President Hale, seconded by Mr. Beagle, to set a public hearing for January 19, 2009 for a zoning map amendment for Gateway Center Development from OS to I-1. Motion was unanimously approved.

Citizen Comments

There were no citizen's comments.

Councilmember
Comments

City Council members welcomed Mrs. Ross as Clerk of Council and wished everyone a Merry Christmas, Happy Hanukah, and Happy New Year.

Mr. Beagle thanked the Downtown Tipp City Partnership for their work and thanked the Rotary for their donation.

Mrs. Blakey thanked the Friends of Tipp City K9 Unit and Tipp Monroe Community Service for stepping forward without us even asking and added that these are the sorts of things we need in town. Mrs. Blakey then asked for an update on the meeting with the Miami County Commissioners and if we had made any progress to set up quarterly meetings with the Miami County Transit. President Hale stated he would make a report with his comments.

Mr. Lovett encouraged people to finish their holiday shopping downtown.

Mayor Evans noted that the Chamber of Commerce held its annual Holiday Gala and congratulated Mrs. Gillis in her role as the new President of the Chamber. He announced that Captor Corp. was named Business of the Year; Bud Polley's Floor was named Small Business of the Year, Citizen of the Year was Martin English; and Young Businessman of the Year was Greg Enslin. Mayor Evans also thanked residents for attending the December 6 tree lighting.

President Hale reported that he met with the Miami County Commissioners and then met with Commissioner O'Brien. He stated that the Commissioners are very interested in having increased communication with the Tipp City Council and meeting on a regular basis. He added that he offered the possibility of them coming to Tri-Agency meeting once a year as a special guest and they are interested in doing so. The Commissioners are still seeking the answer is to the transit problem.

City Manager
Comments

Mr. Crusey recognized Mr. Drennen and the Finance staff who were once again recognized with a Certificate of Achievement in

Adjournment

Financial Reporting from Government Finance Officers Association which recognizes the quality of financial reporting by the City to its citizens. This is the eighth year in a row that we have received this special recognition. Mr. Crusey noted that he will be meeting with representatives from the DTCP and Chamber regarding the extension of the contract with the Downtown Coordinator. He added that it was nice to be able to recognize the generosity of the community with donations for the K9 and donations from Rotary.

There being no further business, it was moved by Mayor Evans, seconded by Mr. Lovett, that the meeting be adjourned. The motion unanimously carried. President Hale declared the meeting adjourned at 8:20 p.m.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council